

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

10-CR-6156DGL

v.

VINCENT HOWARD,

Defendant.

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Defendant Vincent Howard (“Howard”) pleaded guilty in 2010 to conspiracy to commit bank fraud and aggravated identify theft. Howard was involved in a significant scheme to defraud involving counterfeit checks. Howard was sentenced to 60 months imprisonment, to be served consecutively to a state sentence. The federal sentence was followed by a total of five years of supervised release. Howard has now served three years of that term and seeks to terminate supervised release.

The Government filed a Response (Dkt. # 43) objecting to Howard’s request for early termination. The Probation Office also filed a Response (Dkt. # 42), dated May 19, 2023, which also opposes the request at this time.

Howard’s motion to terminate supervised release is DENIED at this time. Howard has provided little reason to justify early termination. The conditions of supervised release are not onerous and Howard does not claim any difficulty complying with those conditions. Howard contends that he has fully complied with the conditions of supervision, but that fact, as the Government notes, does not warrant termination of supervised release.

I applaud the fact that Howard seems compliant with the terms of supervised release. That however is expected and does not warrant early termination of supervised release. It is expected that defendants will comply with a Court order directing supervised release together with the conditions imposed.

In general, supervised release is designed to provide some control over a defendant's activity and to protect the public from further criminal activity. Howard has an extensive criminal history, all of which the Court considered when it imposed the original term of imprisonment, plus the five years of supervised release. Howard has not presented any extraordinary circumstances now that would justify termination of his supervised release requirement. Additionally, although Howard has apparently taken steps to pay the balance due in restitution, there still remains over \$20,000 in restitution that is due.

### **CONCLUSION**

Defendant Vincent Howard's motion (Dkt. # 39) for early termination of the five-year term of supervised release is in all respects DENIED.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
June 15, 2023.